



PLANNING DEPARTMENT

This brochure is to provide guidance in the preparation and application process when applying for a subdivision.

WHAT IS SUBDIVISION?

Subdivision is the division of land that creates one or more parcels containing less than 160 acres that cannot be described as a one-quarter aliquot (fractional) part of a United States government section, exclusive of public roadways. Land is subdivided so that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed. The term subdivision includes resubdivision, as well as some condominium projects, or land used to provide multiple spaces for recreational camping vehicles or manufactured homes.

Two types of subdivisions:

Minor Subdivisions create five (5) or fewer lots.

Major Subdivisions create six (6) or more lots.

- **Subsequent Minor Subdivisions** divide a lot created by subdivision into 5 or fewer lots, and shall be reviewed as Major Subdivisions.

WHAT ARE SUBDIVISION REGULATIONS?

Intent and Purpose

Subdivision of land to accommodate community growth and development directly affects the consolidated government of Butte-Silver Bow, its residents and the subdivider. Subdivision regulations provide guidelines which reflect the best interests of the residents and community of Butte-Silver Bow, and the developer.

These regulations, set forth in the [Butte-Silver Bow Subdivision Regulations](#), are to promote public health, safety, and general welfare of by regulating the subdivision of land:

- To prevent overcrowding of land
- To lessen congestion in the streets and highways
- To provide for adequate light, air, water supply, sewage disposal, parks and recreation areas, ingress and egress, and other public requirements
- To require development in harmony with the natural environment
- To promote cluster development approaches that minimize costs to local citizens and that support appropriate provisioning of public services
- To protect the rights of property owners
- To require uniform monumentation of land subdivisions and transferring interests in real property

WHAT IS THE APPLICATION PROCESS FOR A SUBDIVISION?

Survey

The first step to a subdivision is to be sure your land is suitable for subdivision. To do this, contact a local surveyor to survey your land and draw up a preliminary plat and plans.

Pre-Application Meeting

A Pre-Application meeting is an opportunity for an applicant to discuss requirements, standards, and procedures that apply to a subdivision. These are scheduled through the Planning Department and pre-application materials are distributed to appropriate individuals for review.

The minimum requirements for this meeting can be found on the Subdivision Pre-Application Checklist.

Preliminary Plat

After the requirements for pre-application meeting have been satisfied, the subdivider may submit [a preliminary plat application](#) to start the review process described below.

Final Plat

See next page.

WHAT IS THE REVIEW PROCESS FOR A SUBDIVISION?

Staff Review

The Preliminary Plat and subdivision application will be reviewed by planning staff for compliance with requirements of the [Butte-Silver Bow Subdivision Regulations](#) and [Montana Subdivision and Platting Act](#). Your application will also be routed to the appropriate County, State, and Federal agencies for their review. Including element reviews and sufficiency reviews, this review period may take up to three months.

Public Noticing

The Planning Board and the Governing Body will each hold a public hearing for Major and Subsequent Minor Subdivisions. A notice will be posted in the local newspaper, at the site, and sent to adjoining property-owners at least 15 days prior to the hearing, informing the public of the date, time, location, and topic of each hearing.



Planning Board Review

The Planning Board reviews the proposed subdivision at a regularly scheduled meeting- the fourth Thursday of the month- and determines whether the proposal is in compliance with applicable plans, policies and regulations. The Board then forwards a recommendation to the Butte-Silver Bow Council of Commissioners. The Board has a maximum of 40 days to make a final decision.

Council of Commissioners Review

The Council bases their decision on applicable public hearings, Planning Board advice and recommendation, and any other information that demonstrates that the preliminary plat complies with applicable plans, policies and regulations.

Final Plat

After the conditions of preliminary approval and the requirements for the installation of improvements have been satisfied, the subdivider may submit a [final plat application](#). Final plat approval may be conditional on including elements previously explained to the applicant.

***Note**, the Preliminary Plat Approval Period is in force for three (3) years. If needed, an applicant may apply for an extension of this period at least 30 days before the date of expiration.

WHAT ARE THE FEES FOR SUBDIVISION APPLICATION?

Preliminary Plat

Number of Proposed Lots or Dwellings
1-5 (First minor subdivision).....\$500.00

6 or more (major subdivision)
or subsequent minor subdivisions.....\$500.00 plus \$50.00 per lot, plus all additional charges for advertising, certified letters and peer review of technical information

Final Plat Review & Inspection

Final Plat Approval.....\$500.00

WHAT IS THE TIME FRAME FOR A SUBDIVISION?

Minor Subdivision

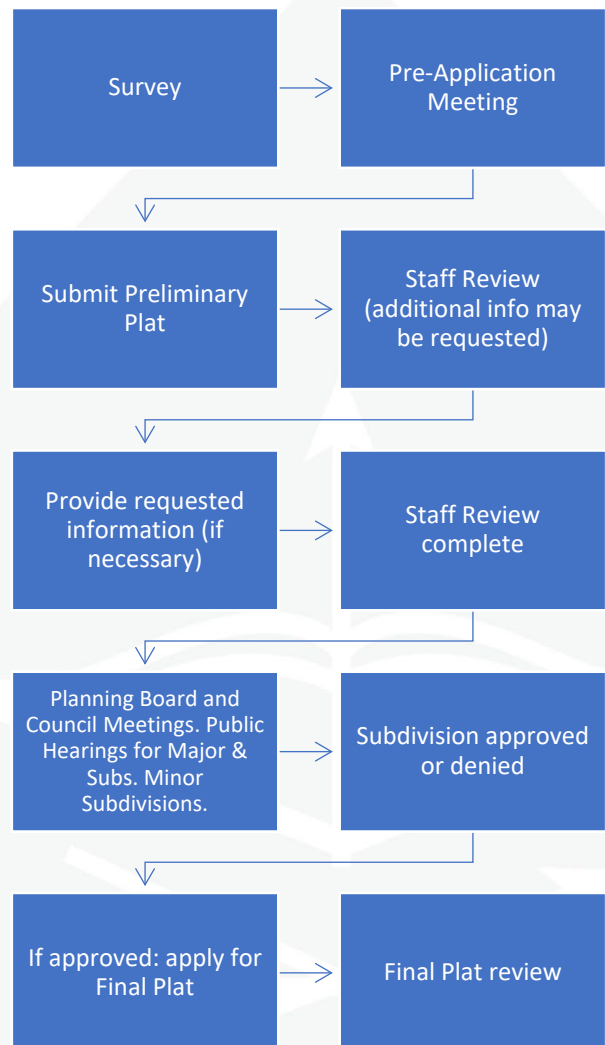
Approximately one year

Major or Subsequent Minor Subdivision

One to two years, or more

***Note**, these time frames do not include any consideration of the applicant waiting more than a few months between Preliminary Plat approval and Final Plat submission.

SUBDIVISION PROCESS



QUESTIONS? CONTACT: planning@bsb.mt.gov